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EXAMINER	
CHEN, YAN LU	
ART UNIT	**PAPER NUMBER**
2146	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No.	Applicant(s)	
	10/743,312	BAUMERT ET AL.	
	Examiner	Art Unit	
	Yan Chen	2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *23 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2-3, 5-11, 14-15, 17-18 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "the device as one of a controlling device and a controlled device" on page 20, lines 7-8. This limitation is inconsistent with claim 1 as to which claim 2 depend, claim 1 recites "a device", which is interpreted as one device whereas claim 2 claims multiple devices. For examination purpose, "a device" in claim 1 is assumed to be "multiple devices". Additionally, line 7 recites "the authorized module". There is insufficient antecedent basis for this limitation in the claim. It is believed "the authorized module" in claim 2 is the same as the " user-configurable authorization module" of claim 1. Appropriate correction is required.

Claim 3 is rejected as incorporating the deficiencies of claim 2 upon which it depends.

Claim 5 recites the limitation "a passive participant" on page 20, line 13. It is unclear whether this is intended to be the same as or different from the "a passive participant" recited in claim 4 for which claim 5 depends. Additionally, line 14 recites "the detecting device user interface". There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "an active participant" on page 20, line 15. It is unclear whether this is intended to be the same as or different from the "an active participant" recited in claim 4 for which claim 6 depends. Additionally, line 16 recites "the authorization module" and the limitation "the detected active participant user interface". There are insufficient antecedent basis for these limitations in the claim.

Claim 7 recites the limitation "the authorization module" on page 20, line 18. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "the authorization module" on page 21, line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "the authorization module" on page 21, line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the controlling device" on page 21, lines 6-7. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 depends on itself. Because of recitation of "the command and control translation module" in line 9, it is believed claim 11 was intended to depend on claim 10 and has been treated as such for the remainder of this office action. Appropriate correction is required.

Claim 14 recites the limitation "a device as one of a controlling device and a controlled device" on page 20, lines 16-17. This limitation is unclear and indefinite since a device cannot be a controlling device and a controlled device. For examination purpose, "a device" in claims 14 and 15 is assumed to be "multiple devices". Additionally, It is unclear whether "a device" in line 16 is intended to be the same as or

different from "a device" recited in claim 13 for which claim 14 depends on. For examination purpose, it is interpreted that they are the same. Appropriate correction is required.

Claim 15 is rejected as incorporating the deficiencies of claim 14 upon which it depends.

Claim 17 recites the limitation "the authorizing the detecting device" on page 22, line 2, It is unclear as to what it is being claimed. Additionally, line 2 recites "the detecting device user interface". There is insufficient antecedent basis for this limitation in the claim.

Claims 18 and 19 are rejected as incorporating the deficiencies of claim 17 upon which it depends.

Claim 22 recites the limitation "the controlling device" on page 22, line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by 6675196 B1 (hereinafter Kronz).

Regarding claim 1, Kronz teaches:

A system for facilitating interaction between a device and a device environment, the system comprising:

a detection module for automatically detecting proximity of a participant within the device environment (column 5, lines 46-52, 66-67 and column 6, teach the device connected in the device environment are connect through input interface, where "The input interface may include one or more of a variety of interfaces, including but not limited to, an RS-232 serial port interface or other serial port interface, a parallel port interface, a universal serial bus (USB), an optical interface such as infrared or IRDA, an RF or wireless interface such as Bluetooth, or other interface ", "The computing device 10 may operate in a networked environment using logical connections to one or more remote systems"); and

a user-configurable authorization module for authorizing the device to adjust a device user interface in a pre-determined manner in response to the detection of the participant (column 5, lines 19-26, "The computing device 10 may access one or more external display devices 30 such as a CRT monitor, LCD panel, LED panel, electro-luminescent panel, or other display device, for the purpose of providing information or computing results to a user. The processing unit 12 interfaces to each display device 30 through a video interface 20 coupled to the processing unit over system bus 18.").

Regarding claim 2, Kronz teaches:

The system of claim 1, wherein the authorization module identifies the device as one of a controlling device and a controlled device (column 5, lines 53-58, "The computing device 10 may send output information, in addition to the display 30, to one or more output devices 36 such as a speaker, modem, printer, plotter, facsimile machine, RF or infrared transmitter, or any other of a variety of devices that can be controlled by the computing device 10.").

Regarding claim 3, Kronz teaches:

The system of claim 2, wherein the controlling device comprises shared resources for sharing with the controlled device (column 1, lines 57-67, "The present invention includes a protocol and a method for facilitating communication between various electronic devices and the sharing of features, functionality and information between these devices. In general, the present invention is directed towards a protocol by which one device (the "client device") can discover what services are offered by another device (the "server device"). Utilizing this protocol, the client device can take advantage of the services of the server device.").

Regarding claim 4, Kronz teaches:

The system of claim 1, wherein the detection module detects one of an active participant and a passive participant (column 5, lines 53-58, "The computing device 10 may send output information, in addition to the display 30, to one or more output

devices 36 such as a speaker, modem, printer, plotter, facsimile machine, RF or infrared transmitter, or any other of a variety of devices that can be controlled by the computing device 10"; The controlling device (computing device 10) is the active participant and the device being controlled is the passive participant.).

Regarding claim 5, Kronz teaches:

The system of claim 4, wherein the detection module detects a passive participant and the device user interface adjusted is the detecting device user interface (column 5, lines 19-23, "The computing device 10 may access one or more external display devices 30 such as a CRT monitor, LCD panel, LED panel, electro-luminescent panel, or other display device, for the purpose of providing information or computing results to a user; Abstract "In general, a client device and a server device communicate with each other over a communications link utilizes the common protocol", where the client device is constitute as the passive device.).

Regarding claim 6, Kronz teaches:

The system of claim 4, wherein the detection module detects an active participant and the authorization module authorizes adjustment of the detected active participant user interface (column 5, lines 19-23, "The computing device 10 may access one or more external display devices 30 such as a CRT monitor, LCD panel, LED panel, electro-luminescent panel, or other display device, for the purpose of providing information or computing results to a user; Abstract "In general, a client device and a server device

communicate with each other over a communications link utilizes the common protocol", where the server device is constitute as the active device.).

Regarding claim 7, Kronz teaches:

The system of claim 1, wherein the authorization module includes an authorization status to control another device (column 2, lines 51-52, "the server device responds to each such command by sending a status code back to the client device.").

Regarding claim 8, Kronz teaches:

The system of claim 1, wherein the authorization module includes an authorization status to be controlled by another device (column 5, lines 56-58, "variety of devices that can be controlled by the computing device 10", which indicates that the computing device has a control status).

Regarding claim 10, Kronz teaches:

The system of claim 1, further comprising a command and control translation module for receiving instructions from a user regarding actions to be taken by the controlling device (column 6, lines 53-60, "in its client role, a laptop computer might need to retrieve data from a PDA carried by a user, and then in its server role, the laptop might be called on by the user to provide a telephone number directly to a cellular telephone. Thus, the laptop functions as both a client device and a server device.").

Regarding claim 11, Kronz teaches:

The system of claim 11, further comprising a UI element manager for taking directions from the command and control translation module (column 5, lines 40-52, "The computing device 10 may receive input or commands from one or more input devices 34 such as a keyboard, pointing device, mouse, modem, RF or infrared receiver, microphone, joystick, track ball, light pen, game pad, scanner, camera, or the like. The processing unit 12 interfaces to each input device 34 through an input interface 24 coupled to the processing unit 12 over system bus 18"; column 6, lines 13-25 "The program modules may include an operating system, application programs, other program modules, and program data. The processing unit 12 may access various portions of the program modules in response to the various instructions contained therein, as well as under the direction of events occurring or being received over the input interface 24 and the network interface 28.").

Regarding claim 12, Kronz teaches:

The system of claim 1, further comprising a list of nearby devices for each device (column 10, lines 13-17, "These devices and a non-exclusive list of services that might be offered by these devices are listed in Table 1, along with exemplary unique ids for the devices or services"; table 1).

Regarding claim 13, Kronz teaches:

A method for facilitating interaction between a device and a device environment, the method comprising:

detecting a participant present within the device environment (column 5, lines 46-52, 66-67 and column 6, teach the device connected in the device environment are connect through input interface, where "The input interface may include one or more of a variety of interfaces, including but not limited to, an RS-232 serial port interface or other serial port interface, a parallel port interface, a universal serial bus (USB), an optical interface such as infrared or IRDA, an RF or wireless interface such as Bluetooth, or other interface ", "The computing device 10 may operate in a networked environment using logical connections to one or more remote systems"); and

adjusting a device user interface based on user-configured rules set forth in a device authorization module in response to the detection of the participant (column 5, lines 19-26, "The computing device 10 may access one or more external display devices 30 such as a CRT monitor, LCD panel, LED panel, electro-luminescent panel, or other display device, for the purpose of providing information or computing results to a user. The processing unit 12 interfaces to each display device 30 through a video interface 20 coupled to the processing unit over system bus 18.").

Regarding claim 14, Kronz teaches:

The method of claim 13, further comprising identifying a device as one of a controlling device and a controlled device using the authorization module device (column 5, lines 53-58, "The computing device 10 may send output information, in addition to the display

30, to one or more output devices 36 such as a speaker, modem, printer, plotter, facsimile machine, RF or infrared transmitter, or any other of a variety of devices that can be controlled by the computing device 10.").

Regarding claim 15, Kronz teaches:

The method of claim 14, further comprising sharing resources from the controlling device with the controlled device (column 1, lines 57-67, "The present invention includes a protocol and a method for facilitating communication between various electronic devices and the sharing of features, functionality and information between these devices. In general, the present invention is directed towards a protocol by which one device (the "client device") can discover what services are offered by another device (the "server device"). Utilizing this protocol, the client device can take advantage of the services of the server device.").

Regarding claim 16, Kronz teaches:

The method of claim 13, further comprising detecting one of an active participant and a passive participant (column 5, lines 53-58, "The computing device 10 may send output information, in addition to the display 30, to one or more output devices 36 such as a speaker, modem, printer, plotter, facsimile machine, RF or infrared transmitter, or any other of a variety of devices that can be controlled by the computing device 10"; The controlling device (computing device 10) is the active participant and the device being controlled is the passive participant.).

Regarding claim 17, Kronz teaches:

The method of claim 13, further comprising detecting a passive participant and the authorizing the detecting device to adjust the detecting device user interface (column 5, lines 19-23, "The computing device 10 may access one or more external display devices 30 such as a CRT monitor, LCD panel, LED panel, electro-luminescent panel, or other display device, for the purpose of providing information or computing results to a user; Abstract "In general, a client device and a server device communicate with each other over a communications link utilizes the common protocol", where the client device is constitute as the passive device.).

Regarding claim 18, Kronz teaches:

The method of claim 17, wherein the passive participant has an RFID tag and the detecting device launches an application in response to the detection of the RFID tag (column 6, lines 13-25, "The program modules may include an operating system, application programs, other program modules, and program data", column 5, lines 40-52, "RF or infrared receiver", column 2, lines 35-44, "the server device responds by transmitting one or more device/service identifiers back to the client device. Each device/service identifier is unique").

Regarding claim 19, Kronz teaches:

The method of claim 17, further comprising detecting an active participant, and authorizing adjustment of the active participant user interface (column 5, lines 19-23, "The computing device 10 may access one or more external display devices 30 such as a CRT monitor, LCD panel, LED panel, electro-luminescent panel, or other display device, for the purpose of providing information or computing results to a user; Abstract "In general, a client device and a server device communicate with each other over a communications link utilizes the common protocol", where the server device is constitute as the active device.).

Regarding claim 20, Kronz teaches:

The method of claim 13, further comprising providing an authorization status as one of controlled or controlling (column 5, lines 56-58, "variety of devices that can be controlled by the computing device 10", which indicates that the computing device has a control status).

Regarding claim 22, Kronz teaches:

The method of claim 13, further comprising receiving instructions from a user regarding actions to be taken by the controlling device (column 6, lines 53-60, "in its client role, a laptop computer might need to retrieve data from a PDA carried by a user, and then in its server role, the laptop might be called on by the user to provide a telephone number directly to a cellular telephone. Thus, the laptop functions as both a client device and a server device").

Regarding claim 23, Kronz teaches:

The method of claim 13, further comprising maintaining a list of nearby devices for each device (column 10, lines 13-17, "These devices and a non-exclusive list of services that might be offered by these devices are listed in Table 1, along with exemplary unique ids for the devices or services"; table 1).

Regarding claim 24, Kronz teaches:

A computer-readable medium having computer-executable instructions for performing the method recited in claim 13. Rejected for the same reasons as described in claim 13.

Regarding claim 25, Kronz teaches:

A system for sharing resources among multiple participating devices, wherein each of the multiple participating devices has a device specific set of application resources, the system comprising:

a detection module for detecting proximity of a first participating device to a second participating device (column 5, lines 46-53, 66-67 and column 6, teach the device connected in the device environment are connect through input interface, where "The input interface may include one or more of a variety of interfaces, including but not limited to, an RS-232 serial port interface or other serial port interface, a parallel port interface, a universal serial bus (USB), an optical interface such as infrared or IRDA, an RF or wireless interface such as Bluetooth, or other interface ", "The computing device

10 may operate in a networked environment using logical connections to one or more remote systems"); and

a configurable resource regulation mechanism for making the device specific application resources from the second participating device available to the first participating device (column 1, lines 57-67, "The present invention includes a protocol and a method for facilitating communication between various electronic devices and the sharing of features, functionality and information between these devices. In general, the present invention is directed towards a protocol by which one device (the "client device") can discover what services are offered by another device (the "server device"). Utilizing this protocol, the client device can take advantage of the services of the server device.").

Regarding claim 26, Kronz teaches:

The system of claim 25, further comprising an authorization module for providing each participating device with an authorization status as one of a controlled device and a controlling device (column 5, lines 53-58, "The computing device 10 may send output information, in addition to the display 30, to one or more output devices 36 such as a speaker, modem, printer, plotter, facsimile machine, RF or infrared transmitter, or any other of a variety of devices that can be controlled by the computing device 10.").

Regarding claim 27, Kronz teaches:

The system of claim 25, further comprising a nearby device list for maintaining a record of device locations (column 10, lines 13-17, "These devices and a non-exclusive list of services that might be offered by these devices are listed in Table 1, along with exemplary unique ids for the devices or services"; table 1).

Regarding claim 29, Kronz teaches:

A method for facilitating resource sharing between multiple devices, the method comprising:

allowing a user to configure regulation of shared resources between multiple participating devices (column 6, lines 48-60, "in its client role, a laptop computer might need to retrieve data from a PDA carried by a user, and then in its server role, the laptop might be called on by the user to provide a telephone number directly to a cellular telephone."); and

enabling regulation of device resources based on proximity of a first participating device to a second participating device , wherein regulation includes making device specific application resources of the first participating device available to the second participating device (column 1, lines 57-67, "The present invention includes a protocol and a method for facilitating communication between various electronic devices and the sharing of features, functionality and information between these devices. In general, the present invention is directed towards a protocol by which one device (the "client device") can discover what services are offered by another device (the "server device").

Utilizing this protocol, the client device can take advantage of the services of the server device.").

Regarding claim 30, Kronz teaches:

The method of claim 29, further comprising identifying each device as one of a controlling device and a controlled device using an authorization module (column 5, lines 53-58, "The computing device 10 may send output information, in addition to the display 30, to one or more output devices 36 such as a speaker, modem, printer, plotter, facsimile machine, RF or infrared transmitter, or any other of a variety of devices that can be controlled by the computing device 10.").

Regarding claim 31, Kronz teaches:

The method of claim 30, further comprising sharing resources from the controlling device with the controlled device (column 1, lines 57-67, "The present invention includes a protocol and a method for facilitating communication between various electronic devices and the sharing of features, functionality and information between these devices. In general, the present invention is directed towards a protocol by which one device (the "client device") can discover what services are offered by another device (the "server device"). Utilizing this protocol, the client device can take advantage of the services of the server device.").

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 9, 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kronz as applied to claims 1, 13 and 25 above, and further in view of US 2003/0037284 A1 (hereinafter Srinivasan et al.).

Kronz teaches the limitation of claims 1, 13 and 27 for the reasons above.

Kronz does not explicitly disclose that the method/system include (an arbitration mechanism for) resolving disputes between devices having an identical authorization status.

Srinivasan et al. teach a system and method for resolving a multiple mastership situation by retaining only one master server (see paragraph [0063]).

It would have been obvious to one of ordinary skill in the art, having the teaching of Kronz and Srinivasan et al. before them at the time the invention was made to modify the system of Kronz to include an arbitration mechanism to resolve dispute in regard to existence of multiple mastership situation as taught by Srinivasan et al.

One of ordinary skill in the art would have been motivated to make this modification in order to prevent communication confusion as to which controller the controlled device should respond to in view of Srinivasan et al.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yan Chen whose telephone number is (571) 270-1926. The examiner can normally be reached on Monday through Friday 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YC

Supervisory Patent Exmr.